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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,954	10/15/2004	Fonda J. Daniels	014682.000015	5953

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MOORE & VAN ALLEN, PLLC For IBM  
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EXAMINER
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REYES, MARIELA D

ART UNIT	PAPER NUMBER
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2167

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/711,954

Applicant(s)

DANIELS ET AL.

Examiner

Mariela D. Reyes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 and 28-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 28-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/15/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action has been issued in response to the amendment filed on December 19th, 2006. Claims 1-21 and 28-33 are pending, claims 22-27 have been cancelled and claim 33 has been added. Applicant's arguments have been carefully and respectfully considered, and some are persuasive and some aren't. New rejections based on the amended claims have been set forth. Accordingly, claims 1-21 and 28-33 are rejected, and this action has been made **FINAL**.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Barrett et al (US Patent 5,727,129).

With respect to independent claim 1, Barrett teaches:

**A method to identify a previously visited URL in results from a search, comprising:**

**Loading a URL personal databook collection (profile) object (Column 7 Lines 26-28, discloses that the profile will processed therefore it had been loaded) in**

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**response to receiving the results of a network search by a search engine** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine); and

**Identifying any matches between results from the search and any URL object references of previously visited URLs in the URL personal databook collection (profile) object.** (Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results)

With respect to claim 2, Barrett teaches:

**Comparing the results from the search to any URL object references in the URL personal databook collection object to identify any matches.** (Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results)

With respect to claim 3, Barrett teaches:

**Visually identifying any matches in the results from the search.** (Column 8 Lines 54-56, discloses identifying the matches by presenting the URLs)

With respect to claim 4, Barrett teaches:

**Visually identifying any matches by at least one of a predetermined icon, a predetermined text font and highlighting.** (Column 8 Lines 66-67, discloses that the

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predicted links (applicant's matches) may be represented as icons or be shown as highlighted or colored)

With respect to claim 5, Barrett teaches:

**Presenting any saved or captured comments** (Column 8 Lines 56-57, discloses that while presenting the information also statistics (applicant's comments will be presented) **associated with any matches in response to positioning a computer pointing device on a selected visually identified match in the results from the search.** (Column 8 Lines 63-65, discloses that the access to the URLs is facilitated by using mouse clicks)

With respect to claim 6, Barrett teaches:

**Selecting any results from the search containing content of interest for future reference in response to no matches.** (Column 7 Lines 50-55, discloses that the pages stored in the profile (applicant's URL personal databook) are pages that have been previously visited by the user, therefore a user can add a web page to the profile by visiting the web page)

With respect to claim 7, Barrett teaches:

**Storing any selected search results in the URL personal databook collection** (profile) **object.** (Column 7 Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to claim 8, Barrett teaches:

**Storing any selected search results comprises storing a URL reference.**

(Column 7 Lines 50-55, discloses that the selected matches are stored in URL form)

With respect to claim 9, Barrett teaches:

**Storing the URL reference as a serialized object.** (Column 7 Lines 56-65,

discloses that the URL reference are stored with their related statistics)

With respect to claim 10, Barrett teaches:

**Storing any comments in association with the stored search results.**

(Column 8 Lines 56-57, discloses that the information pertaining to statistics for each URL are shown, therefore it would be inherent that they would be stored)

With respect to claim independent 11, Barrett teaches:

**A method to identify a previously visited URL in results from a search, comprising:**

**Comparing the results from a network search by a search engine** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine) **to any URL object references of previously visited URLs in a URL personal databook collection (profile) object** (Column 7 Lines 26-28, discloses that the profile (applicant's personal databook collection) will processed and Column 7 Lines

57-65, discloses processing the profile to identify the previously visited URLs matching the search results); and

**Visually identifying any matches between the results from the search and any URL object references in the URL personal databook collection (profile) object.** Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results

With respect to claim 12, Barrett teaches:

**Loading the URL personal databook collection (profile) object** (Column 7 Lines 26-28, discloses that the profile will processed therefore it had been loaded) **in response to presenting the results from the search.** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine)

With respect to claim 13, Barrett teaches:

**Presenting any saved or captured comments** (Column 8 Lines 56-57, discloses that while presenting the information also statistics (applicant's comments will be presented) **associated with any matches in response to positioning a computer pointing device on a selected visually identified match in the results from the search.** (Column 8 Lines 63-65, discloses that the access to the URLs is facilitated by using mouse clicks)

With respect to claim 14, Barrett teaches:

**Selecting any results from the search containing content of interest for future reference in response to no matches; and** (Column 7 Lines 50-55, discloses that the pages stored in the profile (applicant's URL personal databook) are pages that have been previously visited by the user, therefore a user can add a web page to the profile by visiting the web page)

**Storing any selected search results in the URL personal databook collection object.** (Column 7 Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to claim 15, Barrett teaches:

**Presenting a dialogue box to enter comments related to any stored search results; and** (Column 8 Lines 56-57, discloses that the information pertaining to statistics for each URL are shown, therefore it would be inherent that they would be stored)

**Storing any comments in association with the stored search results.** (Column 7 Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to independent claim 16, Barrett teaches:

**A system to identify a previously visited URL in results from a search, comprising:**



**A processor;** (Column 5 Lines 48-52, discloses the use of a CPU)

**A data structure operable on the processor to compare results from a network search by a search engine** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine); **to any URL references of previously visited URLs stored in a URL personal databook collection (profile) object; and** (Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results)

**A data structure operable on the processor to identify any matches between the results from the search and any URL references stored in the URL personal databook collection (profile) object.** (Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results)

With respect to claim 17, Barrett teaches:

**A data structure operable on the processor to visually identify any matches in the results from the search.** (Column 8 Lines 54-56, discloses identifying the matches by presenting the URLs)

With respect to claim 18, Barrett teaches:

**A data structure operable on the processor to present any saved or captured comments** (Column 8 Lines 56-57, discloses that while presenting the information also statistics (applicant's comments will be presented) **associated with**

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**any matches in response to positioning a computer pointing device on a selected visually identified match in the results from the search.** (Column 8 Lines 63-65, discloses that the access to the URLs is facilitated by using mouse clicks)

With respect to claim 19, Barrett teaches:

**A data structure operable on the processor to select any results from the search containing content of interest for future reference in response to no matches.** (Column 7 Lines 50-55, discloses that the pages stored in the profile (applicant's URL personal databook) are pages that have been previously visited by the user, therefore a user can add a web page to the profile by visiting the web page)

With respect to claim 20, Barrett teaches:

**Comprising a data structure operable on the processor to store any selected search results in the URL personal databook collection (profile) object.** (Column 7 Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to claim 21, Barrett teaches:

**A data structure operable on the processor to store and comments in association with the selected search results.** (Column 8 Lines 56-57, discloses that the information pertaining to statistics for each URL are shown, therefore it would be inherent that they would be stored)

With respect to independent claim 28, Barrett teaches:

**A computer-readable medium having computer executable instructions for performing a method comprising:**

**Comparing the results from a network search by a search engine** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine) **to any URL object references in a URL personal databook collection (profile) object;** (Column 7 Lines 26-28, discloses that the profile (applicant's personal databook collection) will be processed and Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results) **and**

**Visually identifying any matches between the results from the search and any URL object references of previously visited URLs in the URL personal databook collection (profile) object.** (Column 7 Lines 57-65, discloses processing the profile to identify the previously visited URLs matching the search results)

With respect to claim 29, Barrett teaches:

**Loading the URL personal databook collection (profile) object** (Column 7 Lines 26-28, discloses that the profile will be processed therefore it had been loaded) **in response to presenting the results from the search.** (Column 3 Lines 63-65, discloses receiving results from a query executed by a user in a search engine)

With respect to claim 30, Barrett teaches:

**Presenting any saved or captured comments** (Column 8 Lines 56-57, discloses that while presenting the information also statistics (applicant's comments will be presented) **associated with any matches in response to positioning a computer pointing device on a selected visually identified match in the results from the search.** (Column 8 Lines 63-65, discloses that the access to the URLs is facilitated by using mouse clicks)

With respect to claim 31, Barrett teaches:

**Selecting any results from the search containing content of interest for future reference in response to no matches; and** (Column 7 Lines 50-55, discloses that the pages stored in the profile (applicant's URL personal databook) are pages that have been previously visited by the user, therefore a user can add a web page to the profile by visiting the web page)

**Storing any selected search results in the URL personal databook collection object.** (Column 7 Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to claim 32, Barrett teaches:

**Presenting a dialogue box to enter comments related to any stored search results;** (Column 8 Lines 56-57, discloses that the information pertaining to statistics for each URL are shown, therefore it would be inherent that they would be stored) **and**

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**storing any comments in association with the stored search results.** (Column 7

Lines 50-55, discloses that the selected by visiting URLs will be stored in the profile)

With respect to claim 33, Barrett teaches:

**Presenting any reason why a selected URL was previously visited in response to positioning a computer-pointing device on a selected match in the results from the search.** (Column 8 Lines 54-57, discloses presenting the statistics of each URL, the presentation of the URL is based on this statistics)

### ***Response to Arguments***

#### *Claim Objections*

The Claim Objections have been removed in light of the instant amendment.

#### *Claim Rejections under 35 U.S.C. 112*

With respect to the 35 U.S.C. 112 rejections on claims 22-27, the rejections are moot in light of the cancellation of the rejected claims.

#### *Claim Rejections under 35 U.S.C 101*

With respect to the 35 U.S.C. 101 rejections on claims 16-21, examiner has removed the rejections in light of reconsideration in light of the instant amendments to the claims.

*Claim Rejections under 35 USC 102*

Applicant's arguments with respect to the 35 USC 102 rejections have been considered but are moot in view of the new ground(s) of rejection.

*Claim Rejections under 35 USC 103*

Applicant's arguments with respect to the 35 USC 103 rejections have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariela D. Reyes whose telephone number is (571) 270-1006. The examiner can normally be reached on M - F 7:30- 5:00 East time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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